



M P/KP  
PATENT

Practitioner's Docket No.: 281\_390NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chris R. Roberts et al.

Serial No.: 10/613,679

Art Unit: Not Assigned

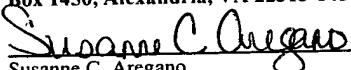
Filed: July 3, 2003

Examiner: Not Assigned

For: MEDICAL DIAGNOSTIC INSTRUMENT

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 7, 2003.

  
Susanne C. Aregano

COMPLETION OF FILING REQUIREMENTS  
— NON-PROVISIONAL APPLICATION

(check and complete this item, if applicable)

I.  This replies to the Notice to File Missing Parts of Non-Provisional Application mailed October 1, 2003.

A copy of the Notice to File Missing Parts of Non-Provisional Application—Filing Date Granted is enclosed.

DECLARATION OR OATH

II.  No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OTHER PAPERS ENCLOSED

III.  A Preliminary Amendment canceling claims without prejudice or disclaimer  
 Assignment with Assignment Transmittal

TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS

IV.  Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

## SMALL ENTITY STATUS

V. [ ] A statement that this filing is by a small entity is attached.

[ ] A separate refund request accompanies this paper.

[ ] was filed on \_\_\_\_\_ (original).

## COMPLETION FEES

VI. **WARNING:** *Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. 1.53.*

*NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. 1.28(a).*

1.	Filing Fee	\$ ____ .00
	[ ] Original Patent Application (37 C.F.R. 1.16(a) --\$740.00; Small Entity--\$370.00)	
2.	Fees for Claims ( Claims; Indep.)	
	[ ] each independent claim in excess of 3 (37 C.F.R. 1.16(b)--\$84.00; small entity--\$42.00)	\$ ____ .00
	[ ] each claim in excess of 20 (37 C.F.R. 1.16(c)--\$18.00; small entity--\$9.00)	\$ ____ .00
	[ ] multiple dependent claim(s) (37 C.F.R. 1.16(d)--\$280.00; small entity--\$140.00)	\$ ____ .00
3.	Surcharge fees	
	[ ] late payment of filing fee (37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)	\$ ____ .00

and/or

[x] late filing of original declaration or oath \$ \_\_\_\_ 130.00  
(37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)

*NOTE: If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).*

4.	[ ] Petition and fee for filing by other than all the inventors or a person not the inventor (37 C.F.R. 1.17(i) and 1.47--\$130.00)	\$ ____ .00
5.	[ ] Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(k) and 1.52(d)--\$130.00)	\$ ____ .00
6.	[x] Assignment Fee	\$ ____ 40.00
	Total Completion Fees	\$170.00

## EXTENSION OF TIME

### VII.

*(complete (a) or (b), as applicable)*

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply.

(a) [ ] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)	Fee for other than small entity	Fee for small entity
One Month	\$ 110.00	\$ 55.00
Two Months	\$ 380.00	\$ 190.00
Three Months	\$ 870.00	\$ 435.00

Extension Fee                            \$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

[ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 00.00

**OR**

(b) [x] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

### VIII.

The total fee due is:	Completion fee(s)	\$170.00
	Extension fee (if any)	\$ <u>      </u> .00
	<b>Total Fee Due</b>	<b>\$170.00</b>

## PAYMENT OF FEES

IX.     [x] Enclosed is a check in the amount of \$170.00.  
[ ] Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. A duplicate of this request is attached.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES OR  
CREDIT OVERPAYMENT**

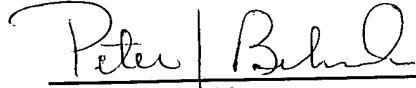
X.       The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Wall, Marjama & Bilinski LLP

  
Peter J. Bilinski  
Peter J. Bilinski  
Reg. No. 35,067

October 7, 2003

Date

PJB/sca  
Telephone: 315-425-9000

Customer No.: 20874